

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2011-118867-001 DT

10/14/2011

HON. DAWN M. BERGIN

CLERK OF THE COURT  
B. Navarro  
Deputy

STATE OF ARIZONA

ELIZABETH LOUISE REAMER

v.

JAIME GARCIA-OJEDA (001)

ROBERT J CAMPOS

CITS - CCC SPANISH  
COURT REPORTER ADMINISTRATOR  
PETE ANDERSON-COURT ADMIN-  
CCC  
VETERANS JUSTICE OUTREACH  
SPECIALIST  
JUDGE RAYES  
MASTER CALENDAR UNIT  
VICTIM SERVICES DIV-CA-CCC

**MINUTE ENTRY**

Prior to the Evidentiary Hearing, State's Exhibits 1 through 4 are marked for identification.

9:53 a.m. This is the time set for an Evidentiary Hearing on Defendant's Motion to Suppress Evidence Seized as a Result of an Illegal Search/Defendant's Motion to Dismiss and oral argument on Defendant's Motion to Compel Discovery of Confidential Information.

State's Attorney:	Jeff Beaver for Elizabeth Reamer
Case Agent:	Detective Gerald Chavez
Defendant's Attorney:	Robert Campos
Defendant:	Present
Interpreter:	Martin Hernandez
Court Reporter:	Melody O'Donnell

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2011-118867-001 DT

10/14/2011

The Court advises counsel that the Defense filed a Motion to Suppress and a Motion to Compel which both have exceeded the page limit and failed to file a motion to exceed page limit on said Motions. The State then filed a Motion to Strike Defendant's Motion to Compel and Motion to Exceed Page Limit to File Responses.

Discussion/oral argument is held.

**IT IS ORDERED** allowing the Defense to exceed the page limits on both Motions and granting the State's request to exceed page limits on their responses.

Further discussion is held.

The Suppression Hearing will be on the issues of the stop, the arrest, and the vehicle only.

**State's case:**

Detective Mario Macias is sworn and testifies.

**LET THE RECORD REFLECT** that the witness has identified the Defendant in court this date.

A bench conference is held between Court and counsel, on the record.

Detective Macias's testimony resumes.

The Rule of Exclusion of Witnesses is invoked by the State.

The witness is excused.

Officer Kenneth Vine is sworn and testifies.

**LET THE RECORD REFLECT** that the witness has identified the Defendant in court this date.

The State attempted to use State's Exhibit 3 during Officer Vine's testimony. The Defense objected advising that Exhibit 3 was never disclosed to him. The Court suggests that Officer Vine be temporarily excused and the hearing be continued to another date in order for Defense counsel to review Exhibit 3. Neither counsel object to this suggestion.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2011-118867-001 DT

10/14/2011

Officer Vine is temporarily excused.

Discussion is held.

Oral argument is presented regarding the *Franks* issue.

Over Defendant's objection, State's Exhibit 1 is received in evidence.

State's Exhibit 2 is received in evidence.

Discussion is held.

**IT IS ORDERED** taking the *Franks* issue under advisement.

**IT IS FURTHER ORDERED** that this **Evidentiary Hearing and oral argument on Defendant's Motion to Compel** will be continued on **November 10, 2011 at 9:30 a.m. (time allotted: 2 ½ hours)** in this Division.

The Defense orally moves for a Trial continuance.

The Defendant agrees to waive time.

Having considered the oral Motion to Continue by counsel for the Defense, the Court finds,

1. The nonmoving party: Does not object
2. The Arraignment date was: May 9, 2011
3. The Last Day is: November 29, 2011
4. The existing date of the trial when the Motion was filed: November 8, 2011
5. The number of continuances granted before this continuance was: No Information Provided
6. The Motion was: made orally
7. The Motion was made orally at least 5 days before trial: Yes

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2011-118867-001 DT

10/14/2011

The Court finds that delay is indispensable to the interests of justice and that the following extraordinary circumstance(s) exist warranting the continuance:

Due to the need to resolve the *Franks* issue, the suppression issue, and the motion to compel

**IT IS ORDERED** granting the Motion to Continue.

**IT IS FURTHER ORDERED** vacating **Trial** set for November 8, 2011 before the Master Calendar Assignment Judge and resetting same for **January 9, 2012 at 8:00 a.m.** before the Master Calendar Assignment Judge located in the Central Court Building, 7<sup>th</sup> floor, Courtroom 702.

**IT IS FURTHER ORDERED** vacating the **Final Trial Management Conference** set for October 27, 2011 and resetting same for **January 5, 2012 at 8:30 a.m.** in this Division.

Counsel and the Defendant are directed to personally appear at the Trial Management Conference.

Counsel are directed to complete the Trial Management Conference/Joint Pretrial Statement form and submit the completed form to the Trial Judge before the conference occurs.

**IT IS FURTHER ORDERED** excluding all time from November 8, 2011 through January 9, 2012 (62 days).

NEW LAST DAY: January 30, 2012.

**IT IS FURTHER ORDERED** affirming prior custody orders.

12:14 p.m. Matter concludes.

**LATER:**

On the Court's own motion,

**IT IS ORDERED** directing Court Reporter, Melody O'Donnell, to prepare a transcript of the oral argument on the *Franks* issue only held on October 14, 2011 for this Court's review.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2011-118867-001 DT

10/14/2011

The Court has determined that a transcript of the proceedings is a reasonable and necessary expense for the operation of the Court and will be provided only to the Judge in this matter.

**IT IS FURTHER ORDERED** that the cost of the transcript shall be paid for by Maricopa County Superior Court.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Orders 2010–117 and 2011–10 to determine their mandatory participation in eFiling through AZTurboCourt.

cc: Court Reporter, Melody O'Donnell